

Come now the Plaintiff, BEVERLY SMITH and HARVEY SMITH, and Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action, only, with prejudice with each side bearing its own attorneys' fees and costs.

DATED: March 16, 2009

By: 

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DATED: April 15, 2009

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Defendants' Liaison Counsel.

**PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,
IT IS SO ORDERED.**

Dated: April 23, 2009

Hon. Charles R. Breyer
United States District Court

